

REMARKS

Claims 4-6, 8, 11 and 14 are pending in this application. Claims 1-3, 7, 9, 10, 12, 13 and non-elected claims 15-22 have been cancelled. Claim 5 has been newly amended to be in independent form by essentially incorporating the subject matter of base claim 4. The amendment of claims 11 and 14 shown the Amendment filed on December 5, 2007, did not state "currently amended" and thus, the amendment of these claims is stated again, herein, to confirm that claims 11 and 14 have been amended to delete dependence on cancelled claims.

No new matter has been added.

In the Advisory Action dated December 26, 2007, the Continuation Sheet mentions the recitation of "about nine copies of SEQ ID NO: 1" in claim 4. The applicants point out that this recitation is supported by the present specification, including in Example 9, which describes the light responsiveness of cis-element shown in SEQ ID NO: 1 as having been determined by using 9 copies of SEQ ID NO: 1.

In the Advisory Action, the Examiner notes that claim 5 (which depends on claim 4) recites SEQ ID NO: 2 which does not comprise about nine copies of SEQ ID NO: 1. The applicants point out that the sequence shown in SEQ ID NO: 2 contains one sequence shown in SEQ ID NO: 1. Accordingly, claim 5 has been amended to independent form as shown above.

No new matter has been added.

In view of the Amendment filed December 5, 2007 with appended technical references, together with the present Amendment, the applicants submit that the presently claimed invention is nowhere disclosed, suggested or made obvious by

the prior art. The presently claimed invention is fully allowable under both Section 102(b) and Section 103(a) in view of the prior art.

The applicants submit that this application is in condition for allowance and a Notice to that effect is respectfully requested.

Respectfully submitted,

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